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SENATE BILL 488

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Linda M. Lopez

AN ACT

RELATING TO THE STATE RACING COMMISSION; REQUIRING BACKGROUND  
INVESTIGATIONS OF COMMISSION MEMBERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 60-1A-3 NMSA 1978 (being Laws 2007,  
Chapter 39, Section 3) is amended to read:

"60-1A-3. COMMISSION CREATED--APPOINTMENT OF MEMBERS--  
TERMS OF OFFICE.--

A. The "state racing commission" is created and is  
administratively attached to the tourism department.

B. The commission shall consist of five members, no  
more than three of whom shall be members of the same political  
party. ~~[The commission members shall be appointed by the  
governor and be confirmed by the senate.]~~ The governor shall  
nominate individuals for appointment to the commission. The

underscoring material = new  
[bracketed material] = delete

1 nominated individuals are subject to confirmation by the  
2 senate. The commission shall conduct background investigations  
3 of the nominated individuals, and the results of the  
4 investigations shall be provided to the governor and to the  
5 senate rules committee. All members of the commission shall  
6 hold at-large positions on the commission.

7 C. At least three of the members of the commission  
8 shall be practical breeders of racehorses within New Mexico.

9 D. A commission member shall have primary residence  
10 in New Mexico and shall be of high character and reputation so  
11 that public confidence in the administration of horse racing is  
12 maintained.

13 E. The term of each member of the commission shall  
14 be six years from the date of the member's appointment. The  
15 member shall serve until a successor is appointed. In the case  
16 of a vacancy in the membership of the commission, the governor  
17 shall fill the vacancy by appointment for the unexpired term,  
18 subject to confirmation by the senate.

19 F. A person shall not be eligible for appointment  
20 as a member of the commission who is an officer, official or  
21 director in a corporation conducting horse racing within the  
22 state.

23 G. Members of the commission shall receive no  
24 salary, but each member of the commission shall receive per  
25 diem and mileage pursuant to the Per Diem and Mileage Act.

.176307.1

